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March 13, 2025

Joseph L. Pellis II
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VIA ECF

Hon. Victor Jeannette A. Vargas, U.S.D.J.
United States Courthouse, 500 Pearl St.
New York, NY 10007

MEMO ENDORSED

Re: *Olin Corporation vs. Huntsman Ethyleneamines, LLC*
No. 1:24-cv-02797-VM-GS (JAV) (SDNY)

Dear Judge Vargas:

This status report letter is submitted jointly by all parties pursuant to the Court's instructions at the hearing held in the above-captioned matter on February 27, 2025. At the Court's suggestion, counsel for the parties met and conferred regarding the disclosure by Plaintiff/Counterclaim Defendant Olin Corporation of certain "other customer information" as addressed at the hearing. The parties advise the Court that they have agreed as follows:

1. The term "**CMA Index**" refers to the following index reference in the November 22, 2022 Sales Contract between Olin Corporation and Huntsman Ethyleneamines LLC: "Chemical Market Analytics ("CMA"; f/k/a IHSM) Caustic Soda Contract Liq. Index ("USGC-CSLi") (in US\$ per DST) published by CMA in the Chemical Market Analytics by OPIS Caustic Soda Prices table in the Chemical Market Analytics Global Chlor-Alkali Report Monthly Market Summary ("GCR")."
2. The term "**January 30, 2024 CMA Index Modifications**" refers to the "US Caustic Soda Index Modifications" as reported by CMA at pages 13-17 of the January 30, 2024 Global Chlor-Alkali Report, Monthly Market Summary (Issue 145).
3. Olin has, and will produce, formal communications regarding the January 2024 CMA Index Modifications with those customers who had caustic soda contracts: (i) with pricing tied in some fashion to the CMA Index as of January 2024; and (ii) for which the contract time period term extended beyond the end of 2024, i.e., into 2025 or beyond. Olin will also produce any follow-up communications with those customers, if any, about the January 30, 2024 CMA Index Modifications, and (i) the underlying original contracts;

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Olin Corporation vs. Huntsman Ethyleneamines, LLC

Update regarding “other customer information”

and (ii) any amendments made as a result of the January 30, 2024 CMA Index Modifications.

4. Olin had a large set of caustic soda contracts with other customers (beyond Huntsman Ethyleneamines LLC) with pricing tied in some fashion to the CMA Index as of January 2024 but which expired on or before the end of 2024. Because these contract time period terms did not extend into 2025, and because CMA continued to publish prices labeled “USGC-CSLI (without NMA) (2- Diaphragm Grade)” (as shown at page 14 of the January 30, 2024 Global Chlor-Alkali Report, Monthly Market Summary (Issue 145)) for all of 2024, Olin did not send formal communications regarding the January 30, 2024 CMA Index Modifications to those customers. Those contracting parties did not amend the pricing terms for those contracts as a result of the January 30, 2024 CMA Index Modifications. Olin will provide a Declaration to confirm these facts as well as a representative sampling of these “end in 2024” contracts.

Respectfully submitted,

PELLIS LAW GROUP, LLP

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SO ORDERED.

The Clerk of Court is directed to terminate ECF
No. 45.

Date: 3/14/2025


HON. JEANNETTE A. VARGAS
UNITED STATES DISTRICT JUDGE

PELLIS LAW GROUP, LLP